

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-25 ADP-00 JUSE-00 ARA-11 SCA-01 RSC-01

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DRAFTED BY L/ M/ SCA: PHPFUND: MA

4/5/73 EXT 22672

APPROVED BY L/ M/ SCA: KEMALMBORG

EUR/ WE: GSHEINBAUM

JUSTICE: JLMURPHY (INFO)

----- 124048

R 052137 Z APR 73

FM SECSTATE WASHDC

TO AMEMBASSY THE HAGUE

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E. O. 11652, N/ A

TAGS: PFOR, NL

SUBJECT: EXTRADITION TREATY

REF: THE HAGUE 1387

1. DEPARTMENT NOTES THAT JUSTICE MINISTRY IS COMPLETING LENGTHY MEMO FOR ANTILLES AND SURINAM GOVERNMENTS ON DRAFT EXTRADITION TREATY NEGOTIATED AT THE HAGUE OCTOBER 1972.
2. DEPARTMENT HOPES TO POUCH TO EMBASSY BY 4/13 COMMENTS FOR GON ON DRAFT TREATY THAT MINJUSTICE MAY FIND USEFUL BEFORE SENDING MEMO TO ANTILLES AND SURINAM.
3. FOLLOWING MAJOR COMMENTS WILL BE INCLUDED:
 - (A) ARGUMENT FOR INCLUSION OF CLAUSE IN ARTICLE 1 THAT OFFENSES HAVE BEEN COMMITTED WITHIN TERRITORY OF REQUESTING STATE, OR OUTSIDE THEREOF AS WOULD BE SPECIFIED IN AN ADDITION TO LATER ARTICLE;

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(B) EFFORT FOR MORE PRECISE LANGUAGE FOR ARTICLE 3(1) WHICH PRESENTLY TOO VAGUE, UNLESS REFUSAL UNDER 3(1) IS TIED TO OBLIGATION ON REQUESTED STATE TO SUBMIT PERSON SOUGHT TO PROSECUTION FOR OFFENSE PARTLY OR COMPLETELY COMMITTED IN ITS TERRITORY;

(C) ARTICLE 5(2): DEPARTMENT WILL SUGGEST EITHER NARROW DEFINITION OF QTE FOREIGNERS INTEGRATED INTO ITS COMMUNITY UNQTE TO LIMIT UNDESIRABLE PRECEDENT FOR FUTURE NEGOTIATIONS, OR WILL ARGUE FOR OBLIGATION ON REQUESTED STATE TO SUBMIT PERSONS WHOSE EXTRADITION IS REFUSED ON THESE GROUNDS TO PROSECUTION FOR OFFENSES FOR WHICH EXTRADITION WAS SOUGAINING BALANCE AND PROTECTING OUR INTERESTS.

4. FAILURE OF ACABQ AT LAST SESSION TO APPROVE UPGRADING POSITION OF DEPUTY (REF B) HAS IN OUR VIEW GIVEN PRETEXT TO UNIDO EXEC DIR TO BACKTRACK ON PROFESSED, BUT LUKEWARM, COMMITMENT TO HAVE AMERICAN DEPUTY. REVERSAL OF EARLIER ACABQ DECISION WOULD HOPEFULLY GET THINGS BACK ON TRACK AND START PROCESS WHEREBY TWO YEARS OF PATIENT EFFORT WOULD PAY OFF.

5. DEPARTMENT WILL CONTINUE TO SEARCH FOR SUITABLE CANDIDATES TO FILL POSITION AND KEEP YOU INFORMED OF DEVELOPMENTS. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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